## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicants : Victor A. Raul et al. Serial No. : 10/576,991

Filed : March 6, 2007

Title : CONTROLLED-RELEASE COMPOSITION FOR TOPICAL

APPLICATION AND A METHOD OF DELIVERING AN ACTIVE

AGENT TO A SUBSTRATE

Docket : DOC 0170 PA (40218.354)

Art Unit : 1627 Examiner : S. Pihonak Confirm, No. : 5824

EFS Web Electronic Submission

September 8, 2010

MAIL STOP PRE-APPEAL

Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

## NOTICE OF APPEAL

Applicants hereby appeal from the Office Action mailed May 10, 2010, finally rejecting claims 1-7, 9-12, and 14-18 which are presently pending in this patent application. Our authorization to charge our credit card in the amount of \$540.00 accompanies this Notice. 37 CFR \$41,20(b) (1).

Respectfully submitted,
DINSMORE & SHOHLLLP

By /Timothy W. Hagan/ Timothy W. Hagan Registration No. 29,001

One Dayton Centre
One South Main Street, Suite 1300
Dayton, Ohio 45402-2023
(937) 449-6400
Facsimile: (937) 449-6405
E-mail: tim.hagan@dinslaw.com

TWH/